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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

ATTY. DOCKET NO. 029318/0497

Jon SWANSON et al.

Serial No. 09/337,675

Group Art Unit: 1615

Filed: June 22, 1999

Examiner: Pulliam, A.

For: CONTROLLED RELEASE  
NANOPARTICULATE  
COMPOSITIONS

#8  
DW  
3/29/00

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.56 and §1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The information disclosure statement is being filed after the mailing of a first office action on the merits, but prior to the mailing of a final office action or a Notice of Allowance. Therefore, a certification is required.

CERTIFICATION UNDER 37 C.F.R. §1.97(c)(1)(e)

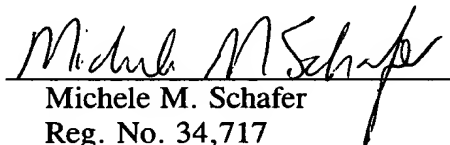
Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from the PCT in a counterpart PCT application not more than three months prior to the filing of the information disclosure statement.

CONCISE EXPLANATION OF  
RELEVANCE OF EACH DOCUMENT

These document were cited in an International Search Report in the related PCT application. An English translation of documents B2, B3 and B4 is not readily available. However, English abstracts of these documents are submitted herewith. Moreover, the absence of such a translation does not relieve the PTO from its duty to consider the submitted document (37 C.F.R. §1.98 and MPEP §609).

Applicants respectfully request that the listed documents be considered by the Examiner, be formally made of record in the present application, and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

  
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March 23, 2000

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